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**FILED**  
DISTRICT COURT OF GUAM  
JUN - 1 2007  
**MARY L.M. MORAN**  
**CLERK OF COURT**

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2           *Attorneys for Defendants*  
FUJITSU LIMITED, and  
3           FUJITSU MICROELECTRONICS AMERICA, INC.

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF GUAM

8 NANYA TECHNOLOGY CORP. and  
NANYA TECHNOLOGY CORP. U.S.A.,

**CIVIL CASE NO. 06-CV-00025**

**Plaintiff,**

vs.

**DECLARATION OF  
AKIO NEZU**

FUJITSU LIMITED, FUJITSU  
MICROELECTRONICS AMERICA, INC.

## Defendants

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**ORIGINAL**

1 IN THE UNITED STATES DISTRICT COURT

2 DISTRICT OF GUAM

3 NANYA TECHNOLOGY CORP. and  
4 NANYA TECHNOLOGY CORP. U.S.A

5 Plaintiffs,

CIVIL CASE NO. 06-CV-00025

6 -v-

7 DECLARATION OF  
8 AKIO NEZU

9 FUJITSU LIMITED, FUJITSU  
10 MICROELECTRONICS AMERICA, INC.,

Defendants.

11 I, AKIO NEZU, declare under penalty of perjury that the following is true and correct:

12 1. My name is Akio Nezu. I am over the age of 21 and am competent to make this  
13 declaration. I make the following statements to the best of my personal knowledge, confirmed by  
14 a reasonable inquiry.

15 2. I am the Marketing Manager for the embedded microcontroller products for  
16 Fujitsu Microelectronics America, Inc. ("FMA") and my office is located at 1250 East Arques  
17 Ave., Bldg. M/S 333, Sunnyvale, California 94085-5401..

18 3. I was responsible for the preparation of the brochure featuring a Johnson &  
19 Johnson OneTouch Ultra glucose monitoring system advertising the uses of 8 bit microcontrollers  
20 ("MCUs") marketed by FMA. (NTC0089676 in Exhibit 11 of Plaintiffs' Response And  
21 Memorandum In Opposition To Defendants' Motions to Dismiss or Transfer.)

1           4. The advertisement incorrectly states that “glucose monitors” are one example of an  
2 application where our “8 bit MCUs have found a home.” This advertisement should have more  
3 accurately stated that these devices “would be a good home” for these 8 bit microcontrollers.

4        5. This brochure was intended to show an example of a device that could potentially  
5 be a "design fit" for 8 bit microcontrollers and was not intended to indicate an actual sale of  
6 microcontrollers from FMA or Fujitsu Limited for incorporation into the Johnson & Johnson  
7 OneTouch Ultra glucose monitoring system.

8        6. FMA never actually supplied any microcontrollers for any glucose monitoring  
9 devices.

10        7. I am not aware of any microcontrollers sold by FMA that have actually been  
11 incorporated into a glucose monitoring device.

12        8. Our customer sales database shows that FMA has not made any direct sales to  
13 Johnson & Johnson and I am not aware of any sales to distributors that have sold microcontrollers  
14 to Johnson & Johnson.

15 9. I have no knowledge of the actual components in the Johnson & Johnson  
16 OneTouch Ultra glucose monitoring system.

17 I declare under penalty of perjury under the laws of the United States that the  
18 foregoing is true and correct.

19 Executed this 30th Day of May, 2007.

By: AKIO NEZU